

Message Text

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DRAFTED BY AF/W-RJKOTT:DFP

APPROVED BY AF/W-TWMSMITH

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FM SECSTATE WASHDC

TO AMEMBASSY LAGOS

INFO AMEMBASSY BONN

C O N F I D E N T I A L STATE 261884

E.O. 11652: GDS

TAGS: EINV, NI

SUBJECT: INDIGENIZATION DECREE: WEST GERMANY'S INTEREST
IN CONSULTATION WITH EMBASSY

REFS: A) STATE 228917 (NOTAL); B) LAGOS 10547 (NOTAL);
C) STATE 233868 (NOTAL)

1. WEST GERMANY'S VERSION OF OPIC, TREUARBEIT, A PRIVATE
CONTRACTOR TO MINISTRY OF ECONOMY, HAS WRITTEN TO OPIC
EXPRESSING CONCERNS OVER FMG'S LATEST INDIGENIZATION
POLICY. (TREUARBEIT HAS RECEIVED CLAIMS FOR COMPENSATION
RESULTING FROM 1972 INDIGENIZATION DECREE AND EXPECTS
OTHERS RESULTING FROM LATEST FMG POLICY). TREUARBEIT
ASKED OPIC USG VIEWS ON INDIGENIZATION AND WHAT MEASURES,
IF ANY, USG TAKING.

2. AF/W INFORMED OPIC ESSENCE OF REFTELS IN ORDER OPIC
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MAY RESPOND TO TREUARBEIT'S REQUEST. IN ITS REPLY, OPIC
HAS SUGGESTED, WITH DEPARTMENT'S APPROVAL, TREUARBEIT

ASK FRG EMBASSY LAGOS CONTACT US EMBASSY IN ORDER OBTAIN
YOUR ASSESSMENT MOST RECENT DEVELOPMENTS OF FMG'S IN-
DIGENIZATION POLICY AND ITS POSSIBLE EFFECTS ON PRESENT

AND FUTURE US PRIVATE INVESTMENT IN NIGERIA.

3. DEPARTMENT SUGGESTS EMBASSY TAKE INITIATIVE IN DISCUSS-
ING INDIGENIZATION ISSUES WITH FRG EMBASSY RATHER THAN
AWAIT APPROACH BY WEST GERMANS. (IT MIGHT TAKE SOME TIME
FOR TREUARBEIT, IF IT TAKES OPIC'S ADVICE, TO CONTACT
FOREIGN MINISTRY AND FOR FRG EMBASSY TO BE INFORMED IN
TURN). IN SO DOING, EMBASSY MAY OBTAIN INFORMATION USEFUL
TO BOTH ITSELF AND DEPARTMENT IN FACING PROBLEMS ANTICI-
PATED BY U.S. INVESTORS IN NIGERIA WHO WILL BE AFFECTED
BY LATEST INDIGENIZATION POLICY. REQUEST EMBASSY REPORT
RESULTS DISCUSSIONS WITH FRG EMBASSY AS WELL AS OTHER
PERTINENT INFORMATION NOW AVAILABLE ON THIS SUBJECT. KISSINGER

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